

British Columbia



Office of the Ombudsman

1999 Annual
Report



**Ombudsman**

Legislative Assembly
Province of British Columbia

The Honourable Bill Hartley
Speaker of the Legislative Assembly
Parliament Buildings, Room 207
Victoria, BC V8V 1X4

June 30, 2000

Dear Mr. Hartley:

It is my pleasure to present the Office of the Ombudsman's *1999 Annual Report*. This report covers the period January 1 to December 31, 1999.

This report has been prepared in accordance with section 31(1) of the *Ombudsman Act*.

Yours truly,

Howard Kushner

Ombudsman for the Province of British Columbia

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From the Ombudsman

It is with great pleasure and pride that I present the *1999 Annual Report* of the Office of the Ombudsman, my first as Ombudsman of British Columbia. The format of this annual report differs from the newspaper format of previous years and that change is appropriate, as 1999 was a year of transition and change for the Ombudsman's Office.

The *1999 Annual Report* aims to provide a picture of the Office's operation over the year. This will be accomplished primarily by case summary vignettes that illustrate the types of cases our Office investigates. The report also contains statistical data about our operations.

The report covers the year 1999, although I only assumed the Office of Ombudsman in June, 1999. Dulcie McCallum, my predecessor, was Acting Ombudsman from January, 1999 until the end of April, 1999 and the current Deputy Ombudsman, Brent Parfitt, was the Acting Ombudsman in May, 1999. Accordingly, references in this report to the Ombudsman refer to whoever was acting as Ombudsman at that time.

A question often asked of me is, "What is an Ombudsman?" One can find a variety of definitions from short to long, simple to complex, concise to detailed. I often respond by saying that the Ombudsman is an independent, impartial investigator of complaints about government administrative unfairness who can, when appropriate, recommend changes to resolve the unfairness. Our Office is not part of the government but investigates government. We receive complaints from individuals and groups but we are not their advocates.

In the words of an earlier Ombudsman, Stephen Owen, the complaints we receive involve "delay, indifference, rudeness, negligence, arbitrariness, oppressive behavior, arrogance and unlawfulness."

We have the discretion to decide which complaints are investigated and

which are not. We can make recommendations to resolve administrative unfairness but we cannot order an authority to change its actions or decisions.

We received approximately 12,000 complaints and inquiries in 1999. The majority of those were handled by our Intake Team. They receive approximately 200 to 225 calls and letters a week. Approximately three quarters of these are dealt with at the intake level, often by redirecting the complaint to an existing complaint resolution process (e.g. the Ministry for Children and Families' Complaint Resolution Process, or BC Hydro's complaint process), or by advising that the complaint does not fall under the jurisdiction of our office (e.g. a complaint about a federal government department or a private corporation).

Although we have jurisdiction over a wide range of public bodies or authorities – government ministries, crown corporations (e.g. Insurance Corporation of British Columbia, BC Hydro), government boards (e.g. Workers' Compensation Board, Human Rights Commission), hospitals and Regional Health Authorities, schools and school districts, universities and colleges, municipal and regional governments, and the self-regulating professions (e.g. the Law Society, the College of Physicians and Surgeons) – we do not have jurisdiction over federal government agencies or private corporations.

If a complaint or inquiry cannot be resolved at the intake level, it is passed on to one of our 28 investigators to decide whether an investigation will be conducted. In 1999, approximately 3,000 files were assigned to investigators and more than 3,600 files were closed.

Our Office is an office of last resort. This means that we encourage complainants to raise their complaints with the public body first and to come to us if that route proves unsuccessful. I strongly believe that a public body ought to be given the initial opportunity to resolve complaints of administrative unfairness, provided that the public body

has an appropriate complaint resolution process. To that end, our Office is in the process of developing a set of principles or guidelines to assist authorities in creating a fair complaint resolution process. I am hopeful that this document will be available for distribution by the end of the year 2000.



1999 was a special year for our Office. It marked the 20th anniversary of the opening of the Office of the Ombudsman of British Columbia. As part of our anniversary celebration, the Lieutenant Governor issued a Royal Proclamation declaring October 1st to 8th, 1999 *Ombudsman Week* in British Columbia. Our Office also hosted the first joint conference of the United States Ombudsman Association and the Canadian Ombudsman Association in Victoria during that week.

More than 200 people attended this conference representing ombudsman offices from across Canada and the United States, as well as Central America and the Caribbean. Those who attended came from a variety of jurisdictions, including states and provinces, municipalities, colleges and universities and corporations. The conference provided a unique opportunity for these officers to share their views and experiences and to learn from one another. As a newly appointed Ombudsman, I found it a valuable learning experience.

Over the past seven months, I have met with various groups to explain the role of the Ombudsman and to familiarize myself with the authorities we oversee. I have met with the deputy ministers of the various government ministries as well as with heads of various boards and commissions, and spoken to a number of groups about our Office. I also visited the province's three secure custody centres for youth in Victoria, Burnaby, and Prince George.

Our Office has always had a special interest in ensuring administrative fairness with respect to authorities' interaction with youth. I intend to continue that emphasis. In the year 2000, our Office will resume conducting regular visits to these custody centers.

In 1999, our Office issued three public reports: *Public Report No. 37, Fair First, An Ombudsman Audit of the WCB Ombudsman* (January, 1999); *Public Report No. 38, Righting the Wrong, The Confinement of the Sons of Freedom Doukhobor Children* (April, 1999); and *Public Report No. 39, Silver Creek, Fire Review* (May, 1999). These reports made a number of recommendations.

The recommendations in *Report No. 39* were accepted and an action plan was developed by the Ministry of Forests to implement the recommendations. We are in the process of reviewing the authorities' responses to our recommendations in reports No. 37 and No. 38.

I have found, over the last seven months, that this position is everything I had hoped it would be and more. It is one of the most exciting, challenging, and interesting jobs that anyone could experience. It is my pleasure and honour to be the Ombudsman of the Province of British Columbia, and I look forward to serving the province and its residents throughout the remainder of my term.

Case Summary

1

AUTHORITY:
WORKERS' COMPENSATION BOARD

Benefits Reinstated

Ms. R was receiving wage-loss benefits for a work-related injury from the Workers' Compensation Board (WCB). The benefits were terminated, but she said that she was not advised of this until four weeks later. The lack of notice affected her eligibility for other benefits.

*Claimant given
benefit of the doubt.*

We referred the matter back to WCB, who assigned a manager to review Ms. R's complaint. Although WCB staff believed that they had notified Ms. R over the phone when her benefits were terminated, the call had not been documented, and Ms. R said that she had never received such a call. The manager concluded that she should receive the benefit of the doubt. As a result, she received retroactive wage-loss benefits for the period in dispute.

Case Summary

2

AUTHORITIES:
WORKERS' COMPENSATION BOARD
AND INSURANCE CORPORATION OF
BRITISH COLUMBIA

*A person caught between
two complex systems can face
complex problems.*

Spiral of Decisions and Appeals Ends

Ms. D suffered injuries in an automobile accident on her way to work in 1992. The Insurance Corporation of British Columbia (ICBC) initially accepted her claim. When the amount of her claim could not be settled, the matter was scheduled to go to court.

In an examination for discovery, Ms. D mentioned that, at the time of her accident, she had taken a particular route to check out gas prices for her husband's business. On learning this, ICBC applied to have the matter considered a case for the Workers' Compensation Board (WCB).

In 1995, WCB Appeals Division determined that the *Workers' Compensation Act* applied to Ms. D's case. However, while WCB accepted that Ms. D's accident had occurred in the course of employment by her husband's business, it initially denied her claim because of the lateness of her application. In a subsequent review, WCB decided to accept her claim. However, due to limitations in the legislation, WCB could only pay the claim from 1995 onwards. ICBC then demanded repayment of insurance benefits and legal costs for the period before WCB accepted jurisdiction. The entire matter caused Ms. D considerable stress.

We asked ICBC to reconsider its decision to require repayment of benefits and legal costs on the basis that nobody anticipated that the injuries would be a WCB case when Ms. D made her claim with ICBC. ICBC agreed to withdraw its demands.

We continue to monitor the interaction between ICBC and WCB policies and procedures.

Case Summary

AUTHORITY:
MINISTRY OF SOCIAL DEVELOPMENT
AND ECONOMIC SECURITY

Even Citizens Under Age 19 Have the Right to Appeal

As we have noted in previous annual reports, Income Assistance recipients under age 19 are not always treated in the same way as adult clients of the Ministry of Social Development and Economic Security (MSDES). Although clients under age 19 have the same rights as adult clients, we occasionally find that young people are not advised of those rights, or that benefits to which they may be entitled are withheld. In one recent case, we found that the client was not informed of her right to appeal a decision.

All clients, regardless of age, and regardless of the perceived merit of their cases, must be informed of their right to appeal.

A mother at age 17, Ms. B had been living in the home of her child's paternal grandmother, with the approval of the Ministry for Children and Families (MCF), and was receiving Income Assistance (IA). Over time, she found that her presence in the home was causing extraordinary conflict between the child's father and grandmother. She decided to leave the home, and found room and board elsewhere.

When she informed MSDES of her move, her IA benefits were terminated without explanation. When she and her advocate sought an explanation, they were advised to contact MCF. MCF advised Ms. B that it was not responsible for the decision, and sent her back to MSDES. After six frustrating weeks with no benefits, she contacted us.

We asked Ms. B whether she had been advised by MSDES of her right to appeal the decision, and learned that she had not. When we then spoke to the District Supervisor responsible for the decision, she acknowledged that her office had not informed Ms. B of her right to

appeal. This had not been an oversight, but was apparently based on her MCF social worker's unwillingness to support her decision to leave the grandmother's home.

We pointed out that clients have the right to appeal even when MSDES considers there to be no merit to the case. The purpose of the appeal is to allow the client to present information that might affect the decision. Nevertheless, the supervisor insisted that there was no point to an appeal, and therefore no reason to inform Ms. B of her right.

We then contacted the MSDES Deputy Minister, who agreed that Ms. B should have been advised of her right to appeal. The Deputy Minister ensured that an advisory was sent to all MSDES staff to inform them of the right of clients under age 19 to appeal decisions. The advisory clearly required staff to inform such clients of their rights.

AUTHORITY:
CHIEF FIREARMS OFFICER
MINISTRY OF THE ATTORNEY GENERAL
SECURITY PROGRAMS DIVISION

Prospectors Require Protection from Cougars

Mr. C was refused a permit to carry a restricted weapon on the basis that he was not a full-time prospector. He noted that there had been incidents involving cougars in the area of his prospecting claims along a stream, and he believed that he needed a handgun to protect himself from animal attacks while working his claims.

New guidelines introduced.

The *Criminal Code of Canada* (the Code) grants the Chief Firearms Officer (CFO) the authority to regulate possession of weapons. Under the Code, the CFO formulates guidelines for the issuance of permits to carry restricted weapons. The guideline affecting Mr. C specified that such permits could only be issued to people who require weapons in the course of full-time work. Mr. C worked his claims part-time.

We reviewed the criteria for the issuance of permits with the CFO. Coincidentally, the CFO was preparing a new set of guidelines and took the opportunity to eliminate the distinction between full- and part-time work. Under the new guidelines, applications such as Mr. C's are considered on merit.

Case Summary

5

AUTHORITIES:

MINISTRY OF THE ATTORNEY GENERAL
CORRECTIONS BRANCH
PRINCE GEORGE REGIONAL
CORRECTIONAL CENTRE

Prisoner Makes Round Trip

Mr. E had been convicted of a crime in Kitimat and served his sentence at the Prince George Regional Correctional Centre (PGRCC). Upon his release, the Corrections Branch was obligated to provide him with the means of transportation to the place where he had

been convicted. At the time of his release from custody, correctional centre staff provided him with a bus ticket to Terrace – approximately 40 miles from Kitimat.

According to Mr. E, he was not given money to continue his journey from Terrace to Kitimat and it cost him approximately \$20 to make his way there. He contacted us seeking a \$20 reimbursement as well as an

apology from PGRCC.

When we contacted him, the Acting District Director agreed to review the matter. He later confirmed that the bus ticket only covered the trip from Prince George to Terrace. The cost of travelling from Terrace to Kitimat was \$20.

The Acting District Director advised us that he would make arrangements for \$20 to accompany a letter of apology to Mr. E.

*Released prisoner
receives \$20 for
travel costs.*

Case Summary

6

AUTHORITY:
MINISTRY OF ATTORNEY GENERAL
CORRECTIONS BRANCH

Dispute Over Drug Withdrawal Therapy Investigated

Mr. G was an inmate in the provincial correctional system with a long history of drug abuse. He contacted us alleging that a physician had terminated his prescription for methadone – a controlled substitute for more harmful illegal drugs – causing him to experience severe withdrawal symptoms. Mr. G argued that the physician should have reduced the dosage gradually rather than forcing him to go cold turkey, and that the decision was punitive and unrelated to his medical treatment.

Termination of inmate's methadone leads to complaint.

The correctional facility's Health Care Centre told us that the decision to discontinue Mr. G's methadone followed several tests of his urine that came back positive for opiates. The physician concluded that methadone therapy was not keeping him from using illegal drugs.

Health care staff also discovered a sponge under Mr. G's tongue. Methadone is administered orally and it was believed that he used the sponge to retain a portion of the methadone for resale or future use. Mr. G asserted that he used the sponge to control an excess saliva problem – a condition not documented in his medical history.

The physician informed us that medications to lessen the effects of withdrawal, assist with sleep, and reduce the chance of seizures were prescribed for Mr. G. Also, his vital signs were stable and he was not showing signs of withdrawal. The decision did not appear to have been made for punitive reasons and Mr. G appeared to be receiving appropriate assistance to deal with the effects of withdrawal.

Lacking the medical expertise to assess the physician's decision, we referred Mr. G to the Corrections Branch Director of Health Services. She is a physician whose role includes assessing treatment decisions made by corrections health care practitioners and responding to complaints from inmates.

Case Summary

AUTHORITY:
VANCOUVER PRETRIAL
SERVICES CENTRE
CORRECTIONS BRANCH

Nurse's Action Reduces Costs

Ms. A, a nurse at the Vancouver Pretrial Services Centre (VPSC) contacted us with concerns about certain costs incurred by the Health Care Centre there. She had raised her concerns with VPSC and the Corrections Branch, but felt that she had not received an adequate or timely response.

Ms. A identified administrative practices that she believed were creating financial losses for VPSC – practices related to billing by health care providers. Health care services for inmates are provided by primary care physicians, psychiatrists, and psychologists who contract to provide direct patient care for an hourly fee. They also provide indirect services in the form of chart reviews, in-service education, consultation with outside specialists, discussions with nurses, and so forth. She noted that hourly billings for direct patient care sometimes seemed to exceed time actually spent with patients. There were no clear guidelines about billing for indirect services and invoices were not usually submitted for indirect services.

Ms. A designed a system that could improve financial controls and accountability, which she discussed with VPSC and submitted to the government Employee Recognition Program. Though she was told that appropriate action would be taken, no meaningful progress had been made after many months.

At the same time, health care staff at VPSC were undergoing a period of extreme stress. Ms. A and other nurses were involved in

*Changes have been made
in the health care
billing system.*

grievances over unsafe workloads and staff were demoralized.

Ms. A also found that she had become the lightning rod for dissatisfaction at VPSC. She was plagued with the loss of personal belongings, threats, and a rumour campaign. VPSC's failure to respond adequately to her concerns led to a period of prolonged stress for her that resulted in a medical leave of several months.

Shortly after we gave notice of the complaint to VPSC, further action was taken. As a neutral party, the Ministry of Health agreed to audit the work and billings of the contracted health care providers.

Although VPSC had undertaken a general review of the Health Care Centre by then, the Assistant Deputy Minister for Corrections also appointed the former Chief Coroner to assess the mandate, management, and operation of VPSC as a whole. He found need for significant change.

The Ministry of Health's audit found that hours for direct patient care did appear to have been over-billed. However, the contracted health care providers argued that the time spent on unbilled indirect services compensated for any overbillings for direct services. The auditors found that the lack of documentation for indirect services meant that they could not determine the value of the services actually provided. The Ministry of Health recommended improved documentation of indirect services.

Many changes have since occurred at VPSC. The Employee Recognition Program acknowledged Ms. A's contribution to solving the problem, and awarded her \$2,000 – the maximum under the program. Her efforts brought about a net annual savings of approximately \$53,000.

Case Summary

8

AUTHORITY:
SUPERINTENDENT OF MOTOR VEHICLES

Fee Not Authorized

The *Motor Vehicle Act* authorizes the Superintendent of Motor Vehicles to deny, cancel, or restrict a driver's licence of any class if the Superintendent believes that an applicant or licensee has a medical condition or disability that could affect that person's ability to drive safely. A system had been in place whereby, for a fee of \$50, an applicant or licensee could request that the Superintendent reconsider such a decision.

Mr. M's licence was cancelled because the Superintendent believed that he had a medical condition that could affect his ability to drive safely. Mr. M disagreed. He wanted the Superintendent to reconsider the decision; however, he objected to the \$50 fee.

A review of the applicable legislation did not reveal any specific legal authority for the Superintendent to charge the \$50 fee. In consultation with us, the Superintendent recognized that the necessary authority was lacking and decided to waive the fee until the appropriate statutory authority was secured.

*Superintendent corrects
procedure.*

Case Summary

9

AUTHORITY:
CAPITAL HEALTH REGION

Clean Air Bylaw

Anticipating possible problems with the administration of the Capital Regional District's Clean Air Bylaw – which was to take effect January 1, 1999 – the Ombudsman initiated an investigation in the fall of 1998. The investigation was commenced on the Ombudsman's initiative, as authorized in section 10 of the *Ombudsman Act*.

In January, 1999, the Ombudsman issued a press release announcing the investigation. Specifically, it addressed concerns that the smoking ban could cause discomfort and inconvenience to residents of long-term

care facilities.

In June of 1999, the Board of the Capital Regional District decided that facilities could apply for a suspension of the bylaw. Since this provided a remedy for facilities whose residents were affected, we discontinued the investigation.

*Partial exemption
granted for long-term
care residents.*

Case Summary

10

AUTHORITY:
MINISTRY OF HEALTH
MEDICAL SERVICES PLAN

Proof of Residency Secures Medical Coverage

Ms. Q contacted us with a complaint that the Medical Services Plan (MSP) had unfairly cancelled her medical coverage, alleging that she was not a resident of the province. She acknowledged that she spent some time in California during the winter months, but insisted that she met the definition of a resident in the *Medicare Protection Act*, which governs MSP.

We contacted MSP about the status of Ms. Q's medical coverage. Its records indicated that questions regarding Ms. Q's resident status first arose in July, 1998, when the Out-of-Country Claims Unit received a claim for

services provided in California over three successive months in 1998. Also, the Manager of the unit had spoken to Ms. Q a month earlier, and noted that Ms. Q had said that she was often out of the country for more than six months. If that was true, then Ms. Q did not qualify for resident status and was not eligible for MSP coverage.

MSP staff made several attempts to contact her by telephone and mail, but did not reach her until about six months after her claim was submitted.

We discovered that Ms. Q had been forced to stay with friends in British Columbia and in California because of problems with her "leaky condominium." Upon learning of her situation, the Senior Manager of Premiums, Billing and Registration attempted to obtain the necessary evidence to document her residency.

If not for the assistance of an MSP manager, a woman would have lost her eligibility for medical insurance.

During the same period Ms. Q was hospitalized. The Senior Manager of Premiums, Billing and Registration then asked the social worker at the hospital to work with Ms. Q in securing the required evidence.

MSP later received a list of friends with whom Ms. Q had stayed over the past few years, clearly showing that, while she had no fixed address, she had maintained her residency in British Columbia. MSP then reinstated her coverage. We were impressed by the Senior Manager's determination to help Ms. Q prove her eligibility for coverage.

Case Summary

11

AUTHORITY:
MINISTRY OF THE ATTORNEY GENERAL
CONSUMER SERVICES

Breach of Confidentiality Investigated

Mr. P, a businessman, complained that an investigator with the Community Justice Branch improperly disclosed confidential information about him. He felt that the disclosed information could damage his reputation and his business.

Responsibility for the breach of confidentiality ultimately rested with the Ministry's lack of operating guidelines.

The Community Justice Branch investigates consumer protection complaints under the *Trade Practice Act* (the Act) and provides information to the public about enforcement actions that follow from such investigations. In Mr. P's case, the investigator was conducting preliminary investigations into allegations of misleading advertising, but no findings of wrongdoing had yet been made.

Mr. P was aware of rumours that the investigator had been telling consumers that he was dishonest and he managed to obtain evidence that the investigator had disclosed information about him.

Mr. P then took his concerns to the Ministry of the Attorney General. However, the Ministry took the position that all of the information about Mr. P was part of the public record and, therefore, subject to disclosure under the Act. The Ministry also argued that the circumstances under which the disclosure was made rendered the disclosure of no consequence. Frustrated with this response, Mr. P then contacted us.

In our discussions with the Ministry, we argued that the investigator disclosed information in the preliminary investigation stage, which was not part of the public record under the Act. As such, it should not have been disclosed. We also argued that the fact that the circumstances

of the disclosure were irrelevant to the question of whether the disclosure was proper. After much discussion, the Ministry eventually agreed to send Mr. P a letter of apology.

During our investigation, it became apparent that Community Justice investigators had been operating without any formal operating policies. In our view, the investigator disclosed the information about Mr. P with the intention of assisting consumers, and he did not appear to have acted with malice. Therefore, the breach of confidentiality ultimately arose from the Ministry's lack of operating guidelines.

The Ministry committed to provide written operational policies.

Case Summary

12

AUTHORITY:
MINISTRY OF SOCIAL DEVELOPMENT
AND ECONOMIC SECURITY
SENIORS SUPPLEMENT OFFICE

Funds Returned

Ms. T's Seniors Supplement payments were suspended for several months to recover an overpayment that had been made to her deceased husband. She did not receive a clear explanation of how the debt had arisen or why she was responsible, rather than her husband's estate.

Provincial Seniors Supplement payments are generated automatically whenever a person's monthly income from the federal Old Age Security and

Guaranteed Income Supplement (GIS) programs falls

below a set minimum. The overpayment to Ms. T's husband had arisen from a retroactive GIS payment – something for which neither Ms. T nor her husband was responsible.

We questioned whether the Seniors Supplement program could properly collect a debt from a surviving spouse, rather than from the deceased's estate. The Program Manager conceded that the correct method was to make a claim against the estate, and new policy was drafted to ensure that this would occur in the future.

Ms. T's supplement was restored, and she was paid the amount that had been withheld. She also received a letter of apology. Because of the error and inconvenience, the Seniors Supplement program also declined to make a claim against the estate.

*New policy drafted
in response to
senior's complaint.*

Case Summary

13

AUTHORITY:
MALASPINA COLLEGE

College Bends Rules for Student

Ms. L called us after her college refused to defer her tuition payment until she received an instalment of her student loan. Because of the timing of student loan disbursements, Ms. L could only pay a portion of the fees in September and the balance in January. The college, however, required her full course fee up front.

Ms. L had enrolled with the college a year earlier but had to drop out because an acquaintance stole all of the money in her bank account, including her student loan money. After a police investigation, the Ministry of Advanced Education, Training and Technology agreed to issue another student loan for the next school year, despite the outstanding debt.

*College accommodates
victim of theft.*

Our investigation showed that the college had a good reason for its decision. Ms. L had enrolled in hairdressing training, which is not subsidized by tax dollars. To pay instructor wages, provide equipment, etc., the college must take in enough money in course fees to meet the costs of the program. The college required the full cost up front to ensure that it would not be left with debts if students dropped out or failed to pay.

We explained Ms. L's situation to the college and found that an instructor had already championed her cause. Though we could not have said that the college had acted unfairly, it reversed its decision, accepted Ms. L's promise to pay in instalments, and allowed her to continue her training.

Case Summary

AUTHORITY:
BRITISH COLUMBIA ASSETS AND
LAND CORPORATION

*BCALC contributes
to cost of hydro service.*

Extra Compensation Negotiated

Mr. and Ms. M purchased three lots from the province that were advertised in the *Crown Land Marketing Catalogue* as "residential lots in a fully serviced subdivision." After consolidating the lots into one and building their house there, they discovered that electrical service did not run to their lot. They incurred considerable expense to acquire electrical service, and they sought compensation from the BC Assets and Land Corporation (BCALC), the agency that develops and markets provincial crown land.

BC Hydro policy required Mr. and Ms. M to extend electrical service to the lot line of the vacant lot adjoining their property. As a result, BCALC benefited from an increase in the property value of the vacant lot, which it was currently marketing. BCALC paid BC Hydro \$2,500 toward the costs.

Mr. and Ms. M still considered it unfair that they had purchased lots that were allegedly fully serviced, then had to pay a substantial amount – approximately \$6,800 after BCALC's contribution – to bring in electrical service. They sought compensation for the full amount, stating that they had relied on the claim of full service in the *Crown Land Marketing Catalogue*.

We learned that the lots were among several unsold lots in a subdivision that was transferred to the province to settle a debt. At the time that the lots were marketed, provincial administrators believed that every lot in the subdivision had electrical service. The realtor working for BCALC also believed that electrical service should be part of any fully

serviced subdivision. Several experts that we consulted also agreed that a fully serviced subdivision should include electrical service to each lot.

BCALC agreed to engage Mr. and Ms. M in discussion to settle their complaint. Mr. and Ms. M accepted additional payment from BCALC toward the extra costs they had incurred.

AUTHORITY:
FAMILY MAINTENANCE ENFORCEMENT
PROGRAM

Intercepted Payment Returned with Apology

Mr. P was caught in the middle of conflicting information given to him by BC's Family Maintenance Enforcement Program (FMEP) and the federal Department of Justice (DOJ).

FMEP ensures that beneficiaries of court orders for maintenance payments receive their payments promptly. It has wide powers to enforce these orders, including the power of attachment: to intercept and redirect to beneficiaries monies owed to parties responsible for maintenance payments.

Mr. P expected to receive an income tax refund, and had already obtained a court order terminating his obligation to pay family maintenance. He had also been informed by FMEP that the necessary paperwork had been sent to DOJ to release the FMEP attachment. When his income tax refund did not arrive, DOJ informed him that the FMEP attachment was still in place.

When we contacted FMEP, it acknowledged that an error had been made, with the result that the appropriate letter had not been sent to DOJ. FMEP immediately sent Mr. P a cheque in the amount of his income tax refund with a letter of apology for the oversight and inconvenience.

*The complainant
received a reimbursement
for the intercepted amount
and a written apology.*

AUTHORITY:
LOCAL GOVERNMENT

Regional Government Addresses Golf Course Nuisances

Mr. N complained that a Regional District (RD) unfairly refused to take action against the golf course adjacent to his home. He said that sound levels from the golf course contravened a noise bylaw and that errant golf balls frequently hit his home, causing damage to his property. He also complained that he was struck on the head by a golf ball.

*Noise and errant
golf balls diminish enjoyment
of private property.*

On our initial call to the RD, we learned that Mr. N's personal injury claim was under review. RD officials also said that they were unaware of the noise bylaw complaint. Nevertheless, the RD took action to address the noise issue and to resolve disputes between the golf course and adjacent property owners.

We informed Mr. N of our decision to discontinue our investigation on the basis that these ongoing processes constituted an adequate remedy. We explained to Mr. N that he could contact us again if there were unresolved fairness issues after the RD's intervention.

Case Summary

AUTHORITY:
MINISTRY FOR CHILDREN
AND FAMILIES

Foster Mother's Advocacy Yields Positive Outcome

Ms. N had been providing a foster home to children in care of the Ministry for Children and Families for many years. One of the young people she had fostered since age 10 was about to turn 19. Under the terms of the foster home's operating agreement with the Ministry, Ms. N was not permitted to house anyone over age 19.

The Ministry informed Ms. N and her foster daughter that they faced a choice: either the young woman or the other foster children would have to leave the home. This way, foster care would not be provided to both adults and children in the same home.

Ministry tailors decision to needs of young woman.

Ms. N noted that the young woman had special needs and was not ready for independent living. Also, the Ministry had not worked with the young woman to develop any transition plans for her future. Ms. N felt that it would be highly disruptive and unfair to move the other foster children merely to satisfy what appeared to be an arbitrary Ministry requirement. She contacted us to make a complaint.

A Ministry quality assurance manager provided us with considerable assistance in addressing Ms. N's concerns. First, he advised us that the Ministry had the discretion to allow the young woman to remain in the home if that was best for all concerned. He then consulted all of the parties involved, including the social workers for the other foster children.

A consensus was reached that the young woman should remain in the home with the other children until appropriate plans could be made for her future care and housing. The manager also initiated transition planning for her.

Ms. N's advocacy for her foster daughter and the excellent work of the quality assurance manager led to a positive outcome for everyone involved.

AUTHORITY:
LOCAL GOVERNMENT

Taxi Licence Refused

Mr. S applied to a municipality for a business licence to operate a taxi service within its boundaries. The Chief Inspector denied his application. Mr. S alleged that the municipality acted unfairly in refusing to grant the licence.

Under the applicable legislation, a local government can issue a licence for the operation of a taxi service within its boundaries. The municipality had adopted a policy that required taxi licence applicants first to obtain a licence from the Motor Carrier Commission, even if the applicant only intended to operate within the municipality.

The Motor Carrier Commission had a moratorium on the issuance of new taxi licences pending receipt of a consultation report on the taxi industry. The consultation report has since been submitted and is being acted on.

We determined that the municipality applied its policy consistently. Our investigation did, however, reveal that, pursuant to the *Municipal Act*, Mr. S had a right to appeal to council that he had not exercised. We informed him of his right to appeal, and he appreciated being apprised of that right.

It is important for municipalities to inform residents where there is a right to appeal to council with respect to many of the decisions made by municipal staff.

*Many municipal decisions
may be appealed to council.*

AUTHORITY:
LOCAL GOVERNMENT

Tax Bylaw Amended for Non-Users of Garbage Service

Mr. D owned a recreational property adjacent to a lake. The property was accessible only by water. He objected to paying local service area taxes for use of a waste transfer station to which he had no reasonable access.

The complainant could not use the services, so he no longer had to pay for them.

He said that, to use the station, he would have to load garbage into his boat, make a 2½-mile lake crossing to his car, unload the garbage from his boat into his car, then drive 15 miles to the waste transfer station. Furthermore, he was also paying for access to a garbage dumpster at the dock where he paid moorage fees for his boat.

Recognizing the unfairness in this situation for Mr. D and others in similar circumstances, the regional district initiated a process that led to a bylaw amendment. This removed the subject properties from the garbage collection and disposal service area, and ended taxation for a service not reasonably available.

Case Summary

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AUTHORITY:
LOCAL GOVERNMENT

Bridge Crossing Invades Privacy

Because of a dyke system and canal installed many years ago to control flooding, Mr. D's rural residence was accessible only by a bridge.

He said that drivers often crossed the bridge only to discover the route was a dead end. To exit required continuing along a narrow road where the only room to turn around was right next to his home. Mr. D found this quite intrusive.

It was not only lost drivers who disturbed Mr. D's peace and quiet. The local authority deemed it unsafe for snow removal vehicles to back up over the bridge, so these too would turn around next to his house.

Mr. D agreed to remove a portion of his fencing so that the local authority could create a turnaround on his side of the bridge. This allowed strangers and bridge maintenance crews to turn their vehicles around without intruding on Mr. D's privacy. The local authority also erected a sign before the bridge to advise drivers that his driveway was not a through-road.

The complainant co-operated with the local authority to reduce the severity of the problem.

AUTHORITY:
MINISTRY OF FINANCE AND
CORPORATE RELATIONS

Appeal Process Taxing

Mr. O appealed a Ministry of Finance and Corporate Relations decision to increase his tax assessment under the *Property Transfer Tax Act*. When he received no decision on his appeal after more than a year and a half, he complained to us about the delay.

We learned that much of the delay was caused by the volume of such appeals. The Ministry responded to the problem by creating a separate appeals section to process appeals under various statutes. Previously, the section or branch of the Ministry administering a particular statute also processed appeals under that statute.

Even with the reorganization, the Ministry had a backlog of property transfer tax appeals. The Ministry decided to give priority to these and to review the policy that led to many of the appeals.

We considered that the Ministry's actions of creating a separate appeals section, conducting a policy review of property transfer tax appeals, and giving priority to those appeals, were positive steps toward better appeal administration.

Still, the Ministry acknowledged that Mr. O's appeal had been delayed longer than most and agreed to expedite his appeal. Mr. O very quickly received a decision on his appeal. As it happened, the decision was in his favour.

*The Ministry created
new organizational efficiencies
and expedited the complainant's
appeal.*

AUTHORITY:
EMERGENCY SERVICES COMMISSION

Ambulance Service Apologizes

Ms. R was a widow whose husband had recently died of cancer. During his illness, he had episodes of severe pain. On one such occasion, Ms. R called an ambulance to take him to hospital.

When the ambulance attendants arrived, Mr. R was lying in bed in a basement room reached by a narrow corridor. The attendants told

Ms. R that, because of the narrowness of the corridor and tight corners, they could not bring a stretcher into the room.

Ms. R believed that it was possible to bring a stretcher into the room, but could not convince the attendants of this. They carried him out in their arms and transferred him to a stretcher where there was more space. Because any physical contact was excruciatingly painful for Mr. R, the process of carrying him out was highly distressing for him and Ms. R.

After Mr. R died, Ms. R made a complaint to the Ambulance Service. She was not satisfied with the response she initially received, so she made a complaint to us. We contacted the Ambulance Service and were impressed with the response that her complaint then received.

A manager went to Ms. R's home and looked at the corridor and room in question. He confirmed her view that it should have been possible to bring in a stretcher. He also apologized for the pain and distress that she and her husband had experienced, and told her that he would follow up on the concern with further training for his staff.

Complaint results in further staff training

AUTHORITY:
WORKERS' COMPENSATION BOARD
PREVENTION DIVISION

Mother's Commitment Benefits BC's Commercial Divers

*WCB implements
lasting changes
for commercial divers.*

Ms. W contacted us with a complaint about the Workers' Compensation Board (WCB). She said that her son, a commercial diver, had died in a tragic commercial diving accident. She was very concerned about the lack of regulation in the commercial diving industry and believed that WCB should do more to protect people working in this high-risk occupation.

WCB maintained contact with Ms. W and implemented a number of major initiatives to improve diver safety, including changes to the regulations governing the industry, consulting with the industry, and enforcing the amended regulations.

We believe that there are times when particular individuals deserve special recognition. In this case, we especially recognize Ms. W's enduring efforts to effect change, as well as the efforts of a senior manager and team of officers within WCB's Prevention Division. These officers took the initiative to recommend amendments to regulations, change the Guidelines, and consult with the industry on how to work more safely. BC's commercial divers are the beneficiaries.

Case Summary

24

AUTHORITY:
BC HYDRO

BC Hydro Reviews Payment Options

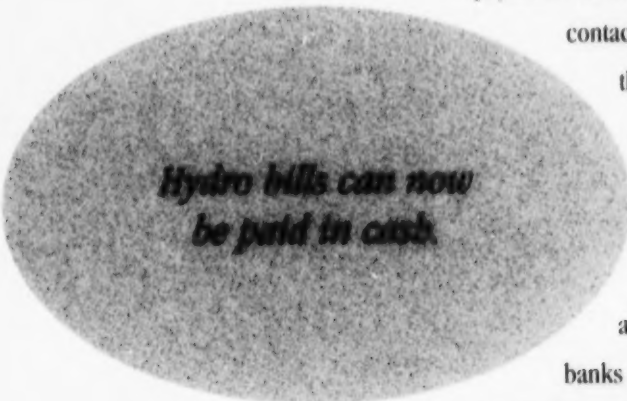
Mr. A complained that BC Hydro's policy of not accepting cash payments at local offices was unfair. He explained that when he contacted BC Hydro to discuss his concerns, he was advised that the policy was necessary to reduce the vulnerability of local offices to robbery. He doggedly maintained that since cash is legal tender in Canada, BC Hydro should accept cash payments.

Mr. A believed that alternative measures could address the risk of robbery more effectively. He noted that banks and other institutions allow cash transactions and use other forms of security.

Initially, BC Hydro advised us that it would not make special arrangements for individuals to pay cash, since this could be viewed as preferential treatment for some customers. It also said that it was not preventing people from paying, since there were alternatives available for making payments, such as automatic debit, cheques, and telephone banking.

A BC Hydro dispute resolution reviewer contacted Mr. A and explained that the policy was developed after a number of robberies in the lower mainland and was thoroughly reviewed prior to implementation. The dispute resolution reviewer also apprised Mr. A of the various payment options available.

Still, Mr. A asserted that the various options did not resolve his concerns, including that he should not have to incur bank transaction fees, nor should he have to purchase a stamp to mail a cheque to



*Hydro bills can now
be paid in cash.*

BC Hydro. He insisted that he should be able to make cash payments in person at a local office.

A short time later, BC Hydro initiated a general review of payment options. This resulted in an arrangement being made for cash payments at government agent offices and certain drug stores, without additional cost to the customer. BC Hydro also advised us that customers would have the option of paying through the internet. Moreover, it planned to initiate pilot projects in various communities, providing ATM-type machines for cash and credit card bill payments at no extra cost. This resolved Mr. A's concerns.

AUTHORITY:
INSURANCE CORPORATION OF
BRITISH COLUMBIA

Proof of Paternity Leads to Compensation

Ms. Q, a single mother, made a complaint that the Insurance Corporation of British Columbia (ICBC) had refused to pay her child's claim for compensation for the death of his father, which resulted from a motor vehicle accident.

Children are normally entitled to compensation when a parent dies under such circumstances. In this case, ICBC took the position that the man was not the child's biological father and denied the claim.

Ms. Q managed to establish the father's paternity through the courts. However, when she provided ICBC with a copy of the court order, her claim was denied on the basis that the limitation period had expired.

We asked ICBC to take another look at the matter. We were pleased to learn that the claim would be paid, and the money placed in trust with the Public Trustee. We also questioned whether any of the accrued interest would be paid for the child's benefit. ICBC agreed to pay interest from the date of their receipt of the court order proving paternity.

*ICBC allows claim
after mother proves paternity.*

AUTHORITY:
LOCAL GOVERNMENT

Property Dispute Resolved

Mr. V and two neighbours owned properties bordered by a lane. The lane had formerly been used by the city as a right-of-way, but was now closed. The city entered into an agreement with Mr. V under which he had the right to use the lane. Under that agreement, he planted trees, shrubs, and flowers, and generally treated the lane as an extension of his garden.

Unfortunately, this use of the lane meant that Mr. V's neighbours could not access the rear of their properties. One neighbour challenged the agreement with the city and obtained a court order declaring it invalid.

To resolve the problem, the city proposed to give all three neighbours access to the lane. Mr. V, however, felt that this did not take into account the time, effort, and money that he had put into landscaping and maintaining the lane over the years. He contacted our Office.

We found that the city's original agreement with Mr. V had been made in good faith. When the court order declared the agreement invalid, the city did its best to find a solution that would be fair to all of the neighbours whose properties bordered the lane.

We suggested several different options to resolve the problem and were pleased to learn that one of them was acceptable to all of the parties: the city sold to each neighbour the part of the lane adjacent to his own property. Mr. V was satisfied with this outcome and considered the matter resolved.

The city sold each neighbour part of the lane.

AUTHORITY:
MINISTRY FOR CHILDREN
AND FAMILIES

Switching Residency between Parents in Different Regions Causes Turmoil

Sixteen year-old Mr. P was concerned that the Ministry for Children and Families had not taken his views and needs into consideration when insisting he return home to live with his father. A short stay with his mother in a different region of the province had come to an end and he was staying with a friend's family.

He explained that, while staying with his mother, he registered at a school in her area where he was making good progress academically, and established a support network. He also indicated that there were several issues that concerned him while in his father's care.

Nevertheless, everyone agreed that he should not live with his mother.

Ministry staff in his father's region did not have any protection concerns and advised father and son that Mr. P had to return home. Staff in his mother's region had not yet been involved, but since Mr. P was in their area, we contacted the Quality Assurance Manager to notify him of the complaint and asked him to contact Mr. P.

We were assured that Mr. P would be contacted and that the matter would be reviewed in consultation with both regions. Mr. P later informed us that the Ministry had agreed to place him in a foster home close to the school he was attending, and that he considered the matter satisfactorily resolved.

*Teen placed in foster home
with Ministry's help.*

AUTHORITY:
EDUCATIONAL INSTITUTION

Estate Dispute Settled

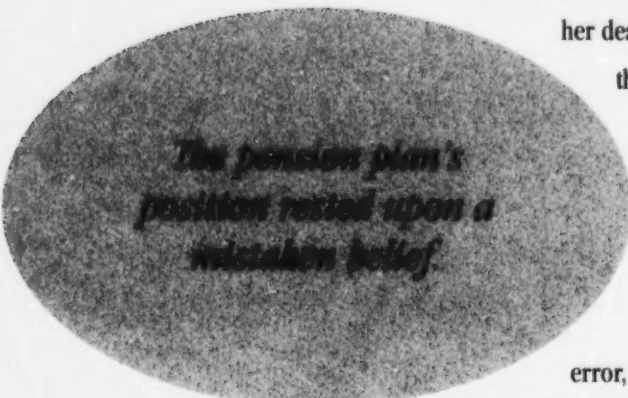
Mr. W's late wife had been employed by an educational institution and she had named him the beneficiary of her pension in the event of her death. When she died, Mr. W received monies payable under the plan. Later, plan administrators determined that supplemental pension benefits should also be paid. Instead of paying those additional monies to Mr. W, the named beneficiary, the pension plan paid them to his wife's estate.

When Mr. W asked the institution to correct the error, his request was denied. The pension plan had received legal advice that supported its action, and the monies had already been paid.

During our investigation, we learned that the pension plan's position rested upon a mistaken belief. It incorrectly believed that Mr. W had benefited from the supplemental benefits paid to the deceased's estate. It also argued that Mr. W was not entitled to pursue the matter because he had signed a release with respect to his wife's estate.

Mr. W proved that he had not benefited from the supplemental monies paid in error to his wife's estate. Additionally, he showed that the release was signed to settle litigation initiated by his children after his wife's death.

The institution acknowledged the error and paid Mr. W the monies originally owed to him, plus interest.



*The pension plan's
position rested upon a
mistaken belief.*

AUTHORITY:
MINISTRY OF ENVIRONMENT,
LANDS AND PARKS

Limited Access by Air in BC Parks

Representing a float plane organization, Mr. N complained that the Ministry of Environment, Lands and Parks was unlawfully restricting float planes from landing in and taking off from certain provincial parks.

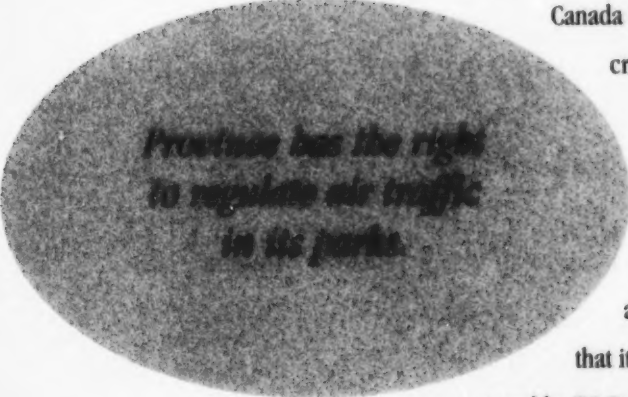
After discussing the issue with federal government representatives, and considering federal legislation, Mr. N believed that all inland waters fall under the jurisdiction of the federal Crown, and that Transport

Canada is the only agency that can lawfully prohibit access to crown land by aircraft.

We contacted the Manager of Recreation Services.

Section 3(e) of the *Park Act* gives the Minister authority to manage and administer all matters concerning parks and recreation areas, including the regulation and control of their use or exploitation. The Manager said

that its goal was to restrict aircraft access to areas administered by BC Parks when it is in the public interest and to the benefit of the park to do so. We found that the Ministry had the legislative authority to restrict access to provincial parks by air.



*Province has the right
to regulate air traffic
in its parks.*

AUTHORITY:
MINISTRY FOR CHILDREN
AND FAMILIES

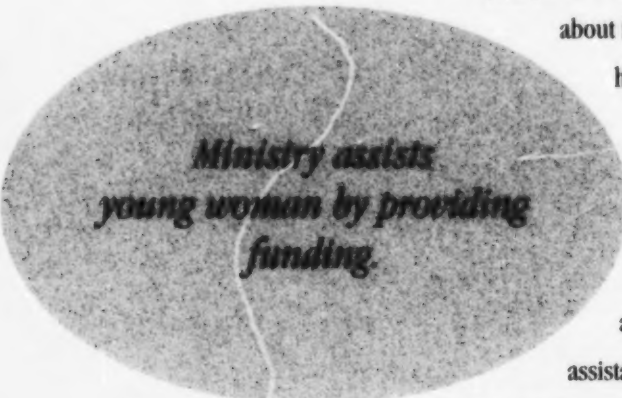
Awareness of Funding Came Late

Ms. J contacted us with a complaint that she had not received appropriate information from the Ministry for Children and Families about funding for post-secondary education. As a minor, she had been in the care of the Ministry, and recently learned that she was entitled to assistance with the cost of post-secondary education.

However, Ms. J was unaware of the opportunity until just before her 24th birthday. She immediately applied, but felt that she would have received more assistance had she applied as soon as she left the

Ministry's care.

The Ministry has discretion to approve or deny assistance, and funds for such grants are not always available. However, the Quality Assurance Manager reviewed Ms J's application. She was awarded an additional \$3,000 and told us that she would use the money to pursue studies that would otherwise not have been possible.



*Ministry assists
young woman by providing
funding.*

Case Summary

31

AUTHORITY:
BRITISH COLUMBIA TRANSIT AUTHORITY

Revealing Test Results Would Compromise Future Testing

Ms. B applied for a position at BC Transit. When she learned that her application had been unsuccessful, she sought information regarding her performance on two evaluation tests. She contended that the test results should be available to her, just as test results had been throughout her post-secondary education.

She was told that her scores on a precision test and on a customer service test fell just short of passing, but was not willing to accept the scores until she could see them. However, her request to do so was refused.

***BC Transit assists
unsuccessful applicant.***

Prior to contacting us, Ms. B had spoken at length with BC Transit personnel, including the Acting Vice-President. These people all confirmed that she could not see the results of her tests. She was offered an opportunity to meet with a supervisor to discuss the job requirements, but she did not believe that this would provide useful feedback.

A BC Transit employment advisor explained that actual questions and answers must remain confidential to protect the future usefulness of the tests. For this reason, the psychologist who designed the customer service test had insisted upon confidentiality as a condition of its use by BC Transit.

Ms. B eventually accepted BC Transit's rationale for not disclosing the results of tests that would be used again. Nevertheless, she was determined to learn what they revealed about her strengths and

weaknesses, so that she could improve her chances in future competitions.

To facilitate this objective, the employment advisor offered a creative solution. After consulting with the designer of the customer service test, she agreed to discuss trends in Ms. B's test results to help her understand her strengths and weaknesses on both tests. This provided an opportunity for Ms. B to obtain useful feedback without compromising future testing.

AUTHORITY:
MINISTRY OF SOCIAL DEVELOPMENT
AND ECONOMIC SECURITY

Ministry Replaces Wheelchair

The Ministry of Social Development and Economic Security (MSDES) denied Ms. C's application for a new manual wheelchair for her

husband. He had been confined to a wheelchair for 22 years.

The Health Services Branch of MSDES expects clients to save for future expenses, including repairs and replacement equipment. In the past, the Ministry had purchased a wheelchair and scooter for Ms. C's husband, and had paid for various repairs.

Ms. C appealed the denial to a BC Benefits tribunal.

To eliminate any doubt about the condition of the ten year-old wheelchair, she took it to the tribunal hearing.

Her appeal was successful, but she was troubled to learn that the Ministry then had a further 30 working days to consider whether to appeal the decision to the BC Benefits Appeal Board.

The Ministry advised us that a decision had been made to accept the tribunal decision and a wheelchair was purchased for Ms. C's husband.

*Ministry considerations delay
delivery of wheelchair.*



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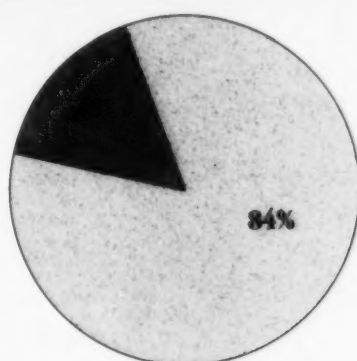
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Statistics

1999 Intakes Jurisdictional vs. Non-Jurisdictional

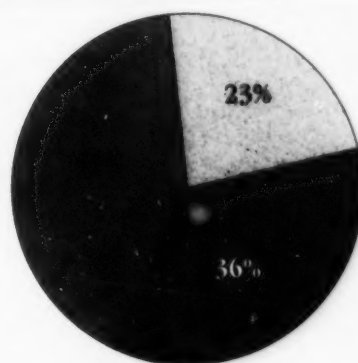
1999 Intakes			
	Jurisdictional	Non-Jurisdictional	Totals
Enquiries	3,510	1,338	4,848
Complaints	6,509	508	7,017
Totals	10,019	1,846	11,865



Jurisdictional Files
 Non-Jurisdictional Files

1999 Jurisdictional Complaints Intake Geographical Distribution

Vancouver Island
 Lower Mainland
 Rest of Province and Unidentified



1999 Breakdown of Complaints

	Total Received (during 1999)	Total Jurisdictional Authority
Vancouver Island	1,621	1,510
Lower Mainland	2,831	2,640
Rest of Province and Unidentified	2,565	2,359
Totals	7,017	6,509

Statistics

1999 Inquiries: Jurisdictional vs. Non-Jurisdictional

1999 Inquiries			
	Completed	Open	Total
Jurisdictional	10,039	1,810	11,849
Non-Jurisdictional	1,000	704	1,704
Totals	11,039	2,514	13,553

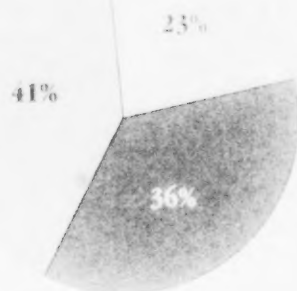


Completed vs. Open Jurisdictional Inquiries

Completed vs. Open Jurisdictional Inquiries			
	Completed	Open	Total
1999	10,039	1,810	11,849
1998	9,500	1,500	11,000
1997	8,500	1,200	9,700
1996	7,500	1,000	8,500
1995	6,500	800	7,300
1994	5,500	600	6,100
1993	4,500	400	4,900
1992	3,500	200	3,700
1991	2,500	100	2,600
1990	1,500	50	1,550
Totals	60,039	6,960	67,000

1999 Jurisdictional Completed Inquiries: Geographical Distribution

- Vancouver Island
- Lower Mainland
- Rest of Province and Unidentified

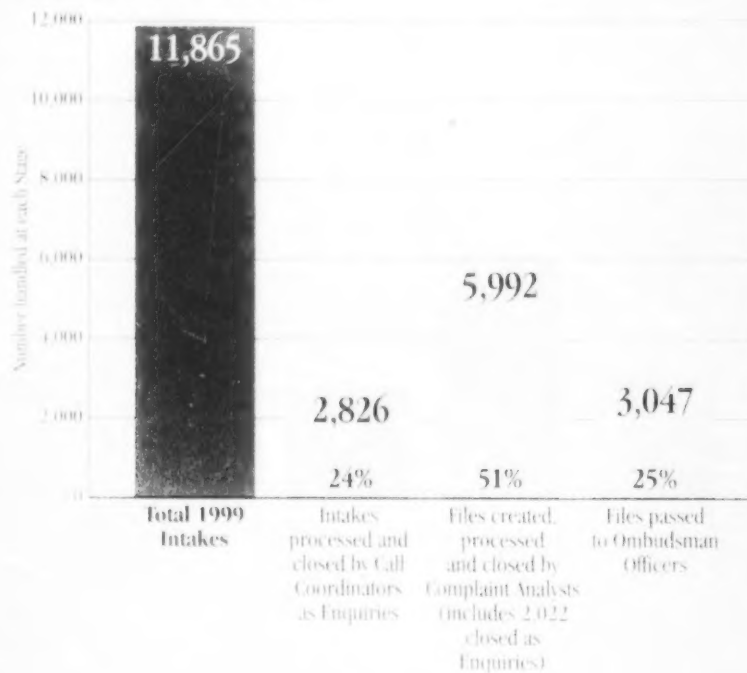


1999 Breakdown of Complaints

	Total Received Through 1999	Total Jurisdictional Admitted
Vancouver Island	4,078	1,510
Lower Mainland	3,844	1,460
Rest of Province and Unidentified	1,563	1,100
Totals	9,485	4,070

Statistics

1999 How Intakes Were Handled



Request for help comes into the Office of the Ombudsman

Intakes processed by Call Coordinator
11,865 Intakes received
 (2,826 are Processed and Closed by the Call Coordinators)

9,039 Intakes are passed to the Complaint Analysts (Files are established at this step)

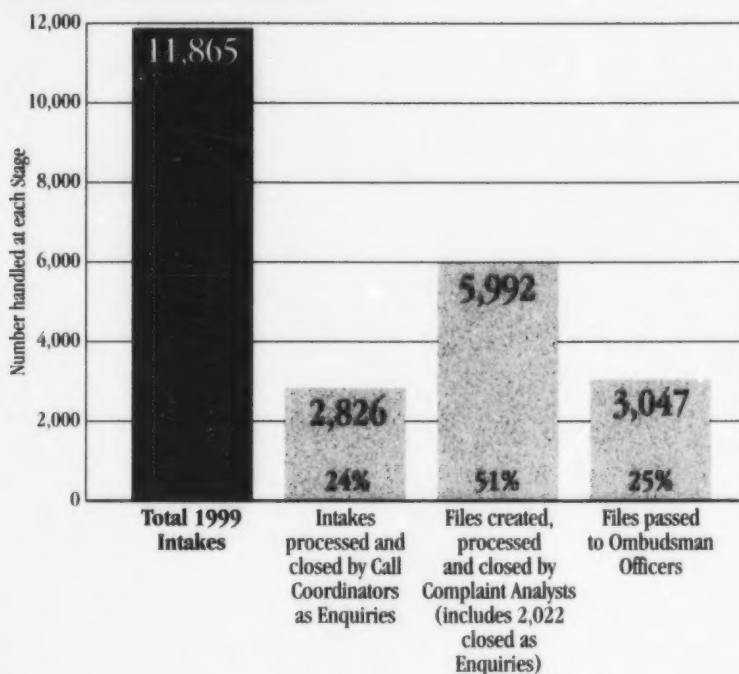
Files are then processed by the Complaint Analysts
 (5,992 were Processed and Closed by the Complaint Analysts)

3,047 files are passed to Ombudsman Officers

Officers investigate the remaining 3,047 files

Statistics

1999 How Intakes Were Handled



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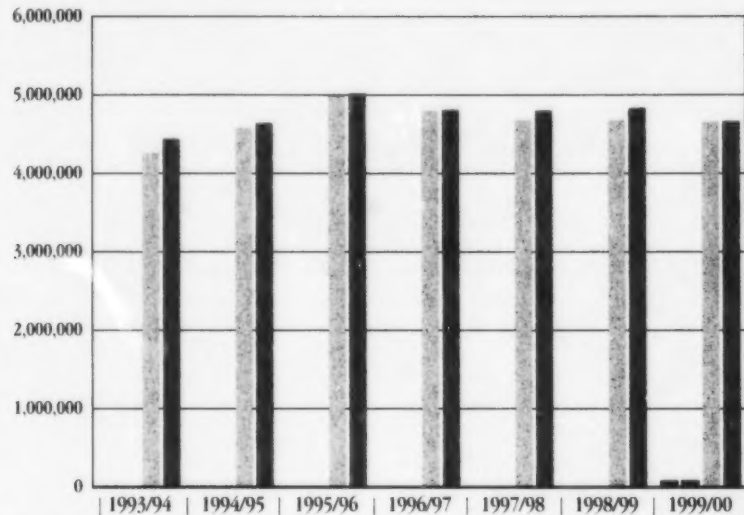
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Officers investigate the remaining **3,047 files**

Statistics

Budget Summary



Actual Capital Expenditure							48,000
Capital Budget							54,000
Actual Operating Expenditure	4,266,416	4,585,984	4,996,543	4,806,000	4,680,000	4,680,000	4,663,000
Operating Budget	4,448,000	4,641,000	5,020,000	4,819,000	4,807,000	4,829,000	4,663,000

Note: The operating budget for 1997/98 includes \$132,000 accessed from the contingencies vote to assist with upgrading computer systems.

The operating budget for 1998/99 includes adjustments made to implement amortization of the capital costs of computer hardware and software.

The operating budget for 1999/00 includes \$8,000 accessed from contingencies to adjust for an inadequate allocation for amortization expenditures.

A separate capital budget was introduced in 1999/00 for computer hardware and software purchases.

Statistics

Files Closed in 1999

Section of the Schedule to the <i>Ombudsman Act</i>	Files Open as at 01-Jan-1999	1999 — Closed Files — 1999						Files Open as at 31-Dec-1999
		Total	Enquiries	Resolved	Substantiated	Not Substantiated	Declined/ Discontinued	
Ministries	788	6232	1768	544	7	253	3660	457
Ministry for Children and Families	169	857	197	105	1	3	551	77
Ministry of Aboriginal Affairs	3	5	1	1	0	1	2	0
Ministry of Advanced Education, Training and Technology	30	70	29	13	0	6	22	24
Ministry of Agriculture and Food	3	8	5	2	0	1	0	3
Ministry of Attorney General	183	1845	797	163	4	77	804	83
Ministry of Education	5	29	17	1	1	0	10	4
Ministry of Employment and Investment	4	6	0	0	0	1	5	2
Ministry of Energy and Mines	7	11	4	3	0	2	2	10
Ministry of Environment, Lands and Parks	58	97	38	13	0	12	34	45
Ministry of Finance and Corporate Relations	42	135	68	17	0	13	37	24
Ministry of Fisheries	1	1	1	0	0	0	0	1
Ministry of Forests	25	56	12	7	1	5	31	27
Ministry of Health	25	178	63	20	0	36	59	23
Ministry of Labour	29	229	152	22	0	7	48	23
Ministry of Municipal Affairs	15	43	14	2	0	10	17	7
Ministry of Small Business, Tourism and Culture	5	17	9	1	0	1	6	5
Ministry of Social Development and Economic Security	117	2493	310	149	0	52	1982	51
Ministry of Transportation and Highways	66	147	48	24	0	26	49	47
Ministry of Women's Equality	1	5	3	1	0	0	1	1
Commissions and Boards	361	1868	907	119	1	86	755	239
Workers Compensation Board	123	583	138	33	1	25	386	81
Residential Tenancy Branch	29	554	455	4	0	12	83	17
Public Guardian and Trustee	43	98	27	12	0	13	46	14
Other Commissions and Boards	166	633	287	70	0	36	240	127
Crown Corporations	157	869	160	82	0	29	598	118
BC Hydro	24	150	19	8	0	5	118	15
ICBC	96	587	88	45	0	17	437	75
Other Crown Corporations	37	132	53	29	0	7	43	28
Professional Associations	79	344	214	16	0	45	69	61
Law Society of BC	33	135	89	4	0	17	25	27
College of Physicians and Surgeons of BC	12	129	99	5	0	3	22	11
College of Dental Surgeons of BC	6	21	8	1	0	9	3	2
All Other Self-Regulating Bodies	28	59	18	6	0	16	19	21
Municipalities	135	401	67	26	0	37	271	115
City of Vancouver	5	50	9	2	0	3	36	6
City of Surrey	11	25	3	1	0	3	18	10
City of Victoria	1	16	5	0	0	0	11	2
All Other Municipalities	118	310	50	23	0	31	206	97

continued

Section of the Schedule to the <i>Ombudsman Act</i>	Files Open as at 01 Jan 1999	1999 — Closed Files — 1999						Files Open as at 31 Dec 1999
		Total	Enquiries	Resolved	Substantiated	Not Substantiated	Declined/ Discontinued	
Regional Districts	52	106	21	5	0	10	70	45
Islands Trust	10	12	1	1	0	1	9	9
Improvement Districts	7	8	2	0	0	0	6	9
Schools and School Boards	72	223	59	50	0	13	101	58
Universities	19	30	7	3	0	6	14	18
Colleges	29	73	25	8	0	8	32	25
Libraries	1	1	0	0	0	0	1	2
Hospitals	1	28	7	0	0	4	17	5
Community Health Council	3	38	14	3	0	2	19	4
Community Health Services Society	8	28	8	3	0	6	11	2
Regional Health Boards	54	223	55	12	0	22	134	31
Jurisdictional Files	1,776	10,484	3,315	872	8	522	5,767	1,198
Non-Jurisdictional Files	NA	1990						NA
Total Files in 1999	1,776	12,474						1,198

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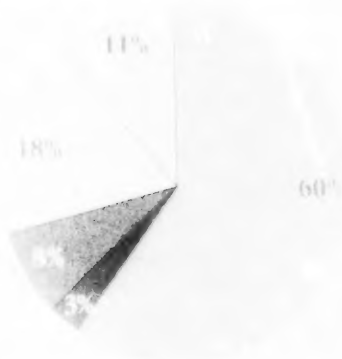
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Statistics

2001-02 fiscal year
breakdown of
jurisdictional
allocations



BC Ministries (50%)

Other government bodies (20%)

Other (10%)

Other (10%)

Other (10%)

Statistics

1999 Closed Files Breakdown of Jurisdictional Authorities



- Ministry of Social Development and Economic Security (39.98%)
- Ministry of Attorney General (29.59%)
- Ministry for Children and Families (13.74%)
- Ministry of Labour (3.67%)
- Ministry of Health (2.85%)
- Ministry of Transportation and Highways (2.36%)
- Ministry of Finance and Corporate Relations (2.17%)
- Ministry of Environment, Lands and Parks (1.56%)
- Ministry of Advanced Education, Training and Technology (1.12%)
- Ministry of Forests (0.90%)
- Ministry of Municipal Affairs (0.69%)
- Ministry of Education (0.47%)
- Ministry of Small Business, Tourism and Culture (0.26%)
- Ministry of Energy and Mines (0.18%)
- Ministry of Agriculture and Food (0.13%)
- Ministry of Women's Equality (0.13%)
- Ministry of Employment and Investment (0.10%)
- Ministry of Aboriginal Affairs (0.08%)
- Ministry of Fisheries (0.02%)

Self-Regulating Bodies (3%)

- Law Society of BC (38.66%)
- College of Physicians and Surgeons of BC (37.5%)
- College of Dental Surgeons of BC (6.1%)
- All Other Self-Regulating Bodies (17.74%)

Crown Corporations (8%)

- ICBC (67.55%)
- BC Hydro (17.26%)
- All Other Crown Corporations (15.19%)

Commissions and Boards (18%)

- Workers' Compensation Board (31.2%)
- Residential Tenancy Branch (29.66%)
- Public Guardian and Trustee (5.25%)
- All Other Commissions and Boards (33.89%)

- Municipalities (34.24%)
- Regional Health Boards (19.04%)
- Schools and School Boards (19.03%)
- Regional Districts (9.05%)
- Colleges (6.22%)
- Community Health Council (3.25%)
- Universities (2.56%)
- Community Health Services Society (2.39%)
- Hospitals (2.39%)
- Islands Trust (1.02%)
- Improvement Districts (0.68%)
- Libraries (0.09%)

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